



# **Punjab Government Gazette**

## **EXTRAORDINARY**

***Published by Authority***

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CHANDIGARH, TUESDAY, MARCH 15, 2016  
(PHALGUNA 25, 1937 SAKA)

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**PUNJAB VIDHAN SABHA SECRETARIAT**

### **NOTIFICATION**

The 14th March, 2016

**No. 6-PLA-2016/219.**-The Indian Penal Code (Punjab Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 6-PLA-2016

### **THE INDIAN PENAL CODE (PUNJAB AMENDMENT) BILL, 2016**

A

BILL

further to amend the Indian Penal Code, 1860, in its application to the State of Punjab.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India, as follows :-

1. (1) This Act may be called the Indian Penal Code (Punjab Amendment) Act, 2016. Short title and commencement.
- (2) It shall come into force at once.

- 
2. In the Indian Penal Code, 1860, (hereinafter referred to as the principal Act), in section 295, for the words, "two years", the words "ten years" shall be substituted. Amendment of Section 295 of Central Act 45 of 1860.
3. In the principal Act, after section 295-A, the following section shall be inserted, namely :- Insertion of new Section 295-AA in Central Act 45 of 1860.
- |   |   |
|---|---|
| "295-AA   | Whoever causes injury, damage or sacrilege to   |
| Injuring, causing any damage or sacrilege to Sri Guru Granth Sahib. | Sri Guru Granth Sahib with the intention to hurt the religious feelings of the people, shall be punished with imprisonment for life." |

**STATEMENT OF OBJECTS AND REASONS**

In the recent past, some incidents of disrespect to Sri Guru Granth Sahib have happened in different parts of the State. There is an urgent need to curb these incidents to maintain communal harmony and brotherhood in the society, otherwise there would be serious law and order problem in the State. The existing provisions in the Indian Penal code, 1860 are not sufficient to deal with such situations. Therefore, it is necessary in the public interest to make stringent provisions in the law. Hence Section 295 and 295 AA of Indian Penal Code, 1860 in so far as these are applicable to the State of Punjab, are therefore, proposed to be amended, accordingly.

**SUKHBIR SINGH BADAL,**  
Deputy Chief Minister, Punjab.

CHANDIGARH:  
The 14th March, 2016

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**SHASHI LAKHANPAL MISHRA**  
SECRETARY.



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**PUNJAB VIDHAN SABHA SECRETARIAT**

### **NOTIFICATION**

The 14th March, 2016

**No. 7-PLA-2016/220.**-The The Code of Criminal Procedure (Punjab Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 7-PLA-2016

### **THE CODE OF CRIMINAL PROCEDURE (PUNJAB AMENDMENT) BILL, 2016**

A

BILL

further to amend the Code of Criminal Procedure, 1973, in its application to the State of Punjab.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of Republic of India as follows :-

1. (1) This Act may be called the Code of Criminal Procedure (Punjab Amendment) Act, 2016. Short title and commencement.

(2) It shall come into force at once.

Amendment in first schedule appended to Central Act 2 of 1974.

2. In the Code of Criminal Procedure, 1973, (hereinafter referred to as the principal Act), in the First Schedule, under the heading captioned as "Chapter XV-offences relating to religion", for the entries against section 295, the following shall be substituted, namely:-

"295	Destroying, damaging or defiling a place of worship or sacred object with intent to insult the religion of any class of persons.	Imprisonment for 10 years or fine or both.	Cognizable	Non-bailable	Magistrate of the First Class."
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Insertion of new Section 295 AA in first schedule appended to Central Act 2 of 1974.

3. In the principal Act, in the First Schedule, under the heading captioned as "Chapter XV-offences relating to religion", after section 295-A, the following section shall be inserted namely :-

"295-AA	Injuring, causing any damage or sacrilege to Sri Guru Granth Sahib with the intention to hurt the religious feelings of the people.	Imprisonment for life.	Cognizable	Non-bailable	Court of Session."
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**STATEMENT OF OBJECTS AND REASONS**

In the recent past, some incidents of disrespect to Sri Guru Granth Sahib have happened in different parts of the State. There is an urgent need to curb these incidents to maintain communal harmony and brotherhood in the society, otherwise there would be serious law and order problem in the State. The existing provisions in the Indian Penal code, 1860 are not sufficient to deal with such situations, Amendment in the existing provisions in the Indian Penal Code, 1860 is being carried out which necessitates the consequential amendments in the Code of Criminal Procedure, 1973. Hence Schedule-1 of the Code of Criminal Procedure, 1973 in so far as this is applicable to the State of Punjab is therefore, proposed to be amended, accordingly.

**SUKHBIR SINGH BADAL,**  
Deputy Chief Minister, Punjab.

CHANDIGARH:  
The 14th March, 2016

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**PUNJAB VIDHAN SABHA SECRETARIAT**

### **NOTIFICATION**

The 14th March, 2016

**No. 8-PLA-2016/221.**-The Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control (Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 8-PLA-2016

### **THE PUNJAB PLASTIC CARRY BAGS (MANUFACTURE, USAGE AND DISPOSAL) CONTROL (AMENDMENT) BILL, 2016**

A

BILL

further to amend the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India as follows :-

1. (1) This Act may be called the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control (Amendment) Act, 2016. Short title and commencement.

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(2) It shall be deemed to have come into force on and with effect from the 1st day of February, 2016.

Amendment of  
Section 7 of  
Punjab Act 17 of  
2005.

2. In the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005, the provision of section 7 shall be numbered as sub-section (1) and after sub-section (1) so re-numbered, the following sub-section shall be added, namely:-

"(2) Notwithstanding anything contained in sections 3, 4, 5 and sub-section (1) of section 7, the State Government, may by notification in the Official Gazette, completely prohibit to manufacture, stock, distribute, recycle, sale or use of plastic carry bags and containers made of virgin or recycled plastic and plastic items having one time use such as disposable plastic cups, tumblers, spoons, forks and straws."

Repeal and  
Saving.

3. (1) The Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control (Amendment) Ordinance, 2016 (Punjab Ordinance No. 1 of 2016), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of this Act.



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**STATEMENT OF OBJECTS AND REASONS**

1. That Article 48-A of the Constitution of India inter alia envisages that the State shall endeavour to protect the environment.
2. That Government of Punjab after considering the adverse effects of Plastic Carry Bags on the environment and Local Ecology felt that Plastic Carry Bags are littered about irresponsibly and have detrimental effect on the environment.
3. That it is observed that the Plastic Carry Bags also cause blockage of gutters, sewerage system and drains thereby resulting in serious environmental and Public Health related problems.
4. That the aim of carrying out the amendment in The Punjab Plastic Carry Bags (Manufacture, Usages and Disposal) Control Act 2005 by insertion of Section 7 clause (2) is to empower the State Government to completely prohibit the manufacture, stock, distribution, recycle, sale or use of Plastic Carry Bags and containers made of virgin or recycled plastic and plastic items by issuing a notification in the official gazette so as to protect the environment.

**PARKASH SINGH BADAL,**  
Chief Minister, Punjab.

CHANDIGARH:  
The 14th March, 2016

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**SHASHI LAKHANPAL MISHRA**  
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**PUNJAB VIDHAN SABHA SECRETARIAT**

### **NOTIFICATION**

The 14th March, 2016

**No. 9-PLA-2016/222.**-The Punjab Appropriation Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 9-PLA-2016

### **THE PUNJAB APPROPRIATION BILL, 2016**

A

BILL

to authorize the payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Punjab, for the services and purposes during the financial year, 2015-2016.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India as follows:-

1. This Act may be called the Punjab Appropriation Act, 2016.

Short title.

*Issue of  
₹ 56,72,33,08,000/-  
out of the  
Consolidated Fund  
of the State of  
Punjab for the  
financial year,  
2015-16.*

2. From and out of the Consolidated Fund of the State of Punjab, there may be paid and applied sums, not exceeding those, specified in column 5 of the Schedule, appended to this Act, amounting, in the aggregate to a sum of ₹ 56,72,33,08,000/- (Five Thousand Six Hundred Seventy Two Crores Thirty Three Lacs and Eight Thousand only) towards defraying several charges, which will come in the course of payment to be made during the financial year, 2015-2016, in respect of the services and purposes, specified in column 2 of the said Schedule.

*Appropriation.*

3. The sums, authorized to be paid and applied from and out of the Consolidated Fund of the State of Punjab by this Act, shall be appropriated for the services and purposes, specified in the said Schedule, in relation to the financial year 2015-16.

*Overriding effect of  
the Act.*

4. Notwithstanding anything contained in any other Act for the time being in force, the provisions of this Act shall prevail.

**SCHEDULE**

Demand No.	Services and purposes		Sums not exceeding		
			Grant made by the Legislative Assembly	Charged on the Consolidated Fund	Total
1	2		3	4	5
			Rs.	Rs.	Rs.
1	Agriculture and Forests	Revenue	27,45,60,08,000	1,46,91,000	24,47,06,99,000
		Capital	0	0	0
2	Animal Husbandry and Fisheries	Revenue	17,90,00,000	0	17,90,00,000
		Capital	3,27,97,000	0	3,27,97,000
3	Co-operation	Revenue	2,81,000	7,68,000	10,49,000
		Capital	55,92,64,000	0	55,92,64,000
4	Defence Services Welfare	Revenue	9,91,49,000	21,44,000	10,12,93,000
		Capital	0	0	0
5	Education	Revenue	3,95,84,98,000	7,01,42,000	4,02,86,40,000
		Capital	1,000	0	1,000
6	Election	Revenue	0	50,00,000	50,00,000
		Capital	0	0	0
7	Excise and Taxation	Revenue	1,23,62,25,000	3,50,000	1,23,65,75,000
		Capital	0	0	0
8	Finance	Revenue	3,000	2,000	5,000
		Capital	0	0	0
9	Food and Supplies	Revenue	2,03,71,17,000	42,14,000	2,04,13,31,000
		Capital	90,000	0	90,000
10	General Administration	Revenue	11,65,63,000	0	11,65,63,000
		Capital	18,16,80,000	0	18,16,80,000
11	Health and Family Welfare	Revenue	3,37,56,18,000	0	3,37,56,18,000
		Capital	3,82,88,000	0	3,82,88,000
12	Home Affairs and Justice	Revenue	1,16,67,46,000	1,36,79,000	1,18,04,25,000
		Capital	1,04,00,23,000	0	1,04,00,23,000
13	Industries	Revenue	3,12,38,000	1,42,48,000	4,54,86,000
		Capital	15,98,00,000	0	15,98,00,000

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14	Information and Public Relation	Revenue	1,25,00,000	0	1,25,00,000
		Capital	0	0	0
15	Irrigation and Power	Revenue	1,000	0	1,000
		Capital	1,48,54,48,000	0	1,48,54,48,000
16	Labour and Employment	Revenue	4,16,43,000	0	4,16,43,000
		Capital	0	0	0
17	Local Government, Housing and Urban Development	Revenue	80,97,55,000	0	80,97,55,000
		Capital	2,64,49,29,000	0	2,64,49,29,000
19	Planning	Revenue	1,39,54,000	0	1,39,54,000
		Capital	3,68,82,000	0	3,68,82,000
21	Public Works	Revenue	1,000	0	1,000
		Capital	7,000	0	7,000
22	Revenue and Rehabilitation	Revenue	1,53,24,97,000	0	1,53,24,97,000
		Capital	0	0	0
23	Rural Development and Panchayats	Revenue	4,54,56,93,000	15,00,00,000	4,69,56,93,000
		Capital	0	0	0
24	Science, Technology and Environment	Revenue	2,73,18,000	0	2,73,18,000
		Capital	2,49,00,000	0	2,49,00,000
25	Social Security, Women and Child Welfare and Welfare of Scheduled Castes and Backward Classes	Revenue	85,56,74,000	5,60,000	85,62,34,000
		Capital	5,000	0	5,000
26	State Legislature	Revenue	3,94,50,000	4,01,000	3,98,51,000
		Capital	0	0	0
27	Technical Education and Industrial Training	Revenue	84,25,85,000	5,23,000	84,31,08,000
		Capital	4,000	0	4,000
28	Tourism and Cultural Affairs	Revenue	5,67,85,000	0	5,67,85,000
		Capital	28,15,50,000	0	28,15,50,000
29	Transport	Revenue	1,43,07,34,000	0	1,43,07,34,000
		Capital	9,58,82,000	0	9,58,82,000
<b>Total :</b>		<b>Revenue</b>	<b>49,86,50,36,000</b>	<b>27,67,22,000</b>	<b>50,14,17,58,000</b>
		<b>Capital</b>	<b>6,58,15,50,000</b>	<b>0</b>	<b>6,58,15,50,000</b>
<b>Grand Total :</b>			<b>56,44,65,86,000</b>	<b>27,67,22,000</b>	<b>56,72,33,08,000</b>

**STATEMENT OF OBJECTS AND REASONS**

The Bill is introduced in pursuance of clause (1) of Article 204 of the Constitution of India, read with Article 206 thereof, to provide for the appropriation out of the Consolidated Fund of the State of all money required to meet the expenditure charged on the Consolidated Fund and the grants made in advance by the Legislative Assembly in respect of the estimated expenditure of the State Government, for the financial year 2015-2016.

**PARMINDER SINGH DHINDSA,**  
Minister for Finance, Punjab.

CHANDIGARH:  
The 14th March, 2016

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**SHASHI LAKHANPAL MISHRA**  
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**PUNJAB VIDHAN SABHA SECRETARIAT**

### **NOTIFICATION**

The 14th March, 2016

**No. 11-PLA-2016/223.**-The Punjab State Commission for Women (Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 11-PLA-2016

### **THE PUNJAB STATE COMMISSION FOR WOMEN (AMENDMENT) BILL, 2016**

A

BILL

further to amend the Punjab State Commission for Women Act, 2001.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab State Commission for Women (Amendment) Act, 2016. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Amendment in  
section 3 of  
Punjab Act 4 of  
2001.

2. In the Punjab State Commission for Women Act, 2001, in section 3, in sub-section (2), in clause (b),-

- (i) for the words "five non-official members", the words "ten non-official members" shall be substituted; and
- (ii) in the first proviso, for the words "one member", the words "two members" shall be substituted.

Repeal and  
saving.

3. (1) The Punjab State Commission for Women (Amendment) Ordinance, 2015 (Punjab Ordinance No. 7 of 2015) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under this Act.



**STATEMENT OF OBJECTIVES AND REASONS**

The Punjab State Commission for Women Act, 2001 amendment Act 2014 provides the constitution of the State Commission for Women with a view to improve the status of women in the State of Punjab and to enquire into unfair practices women and for the matters connected therewith or incidental thereto. Punjab State Women Commission has been established in June 1998 by the Government of Punjab. Chairperson, Vice-Chairperson and 5 members can be appointed in the Punjab State women Commission as per the provisions. At present, Chairperson, Vice-Chairperson and three members are working in the Punjab State Women Commission.

Punjab State Women Commission Act, 2001 and amendment Act 2016 will be amended for affective implementation of the Act with the approval of the Council of Ministers and the strength of the Non Official Members is to be increased from 5 to 10, in which the strength of Schedule Caste members will be amended from one to two.

Hence this Bill.

**SURJIT KUMAR JYANI,**  
Minister for Social Security & Women  
and Child Development, Punjab.

**FINANCIAL MEMORANDUM**

This amendment involves financial implication for the Government.

CHANDIGARH:  
The 14th March, 2016

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**SHASHI LAKHANPAL MISHRA**  
SECRETARY.

*0973/03-2016/Pb. Govt. Press, S.A.S. Nagar*



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**PUNJAB VIDHAN SABHA SECRETARIAT**

### **NOTIFICATION**

The 14th March, 2016

**No. 10-PLA-2016/224.**-The Punjab Satluj Yamuna Link Canal Land (Transfer of Proprietary Rights) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 10-PLA-2016

### **THE PUNJAB SATLUJ YAMUNA LINK CANAL LAND (TRANSFER OF PROPRIETARY RIGHTS) BILL, 2016**

A

### **BILL**

to provide for transfer of proprietary rights to the land owners from whom land was acquired by the State Government for construction of Satluj Yamuna Link Main Canal and for the matters connected therewith or incidental thereto.

Whereas the State of Punjab as a sovereign authority in federal structure of the Constitution of India and being a welfare State of the Union of India

takes great pride to protect the interest of its inhabitants.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India as follows:-

Short title and  
commencement.

1. (1) This Act may be called the Punjab Satluj Yamuna Link Canal Land (Transfer of Proprietary Rights) Act, 2016.

(2) It shall come into force on and from the date of its publication in the Official Gazette.

Definitions.

2. In this Act, unless the context otherwise requires,-

(a) "Land" means land, as notified by the State Government, the ownership of which was transferred to the State Government in any manner for the construction of SYL Canal;

(b) "Land Owner" means the owner of the land or his successors-in-interest from whom the land was acquired in any manner by the State Government;

(c) "State Government" means the Government of the State of Punjab in the Department of Irrigation; and

(d) "SYL Canal" means Satluj Yamuna Link Main Canal, as proposed carrier channel, falling in the territory of State of Punjab.

Transfer of land.

3. (1) Notwithstanding anything contained contrary in any law for the time being in force, on and from the commencement of this Act, the proprietary rights on the land shall stand transferred to the land owners on such terms and conditions as the State Government may notify.

(2) The record of rights shall stand amended and automatically modified by the concerned revenue authorities.

Settlement of  
claims.

4. The State Government shall notify a suitable machinery for settlement of claims of any landowner, or of any other party, as the case may be;

Provided that, the settlement of such claims in due course shall not in any manner affect the transfer of land in favour of the land owners in the record of rights as provided in section 3 of this Act on the date of commencement of this Act.

Over-riding effect  
on other laws.

5. The provisions of this Act and the rules made there-under, shall have over-riding effect notwithstanding anything inconsistent therewith contained

in any other Act, rule, judgment, decree, notification, or any other instrument having force of law.

6. No suit, prosecution or other legal proceedings shall lie against the State Government or any person for anything which is done in good faith or intended to be done in pursuance of this Act or of any rule or order made there-under.

protection for  
actions taken in  
good faith.

7. No civil court shall have jurisdiction to entertain any suit or proceedings in respect of any matter arising under or connected with this Act.

Bar of  
jurisdiction.

8. The State Government may, by notification in the Official Gazette, make rules to give effect to the provisions of this Act.

Powers to make  
rules.

9. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by an order, published in the Official Gazette, make such provision not inconsistent with the provisions of this Act, as may appear to be necessary for removing difficulty:

Power to remove  
difficulties.

Provided that no such order shall be made under this section after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section, shall be laid as soon as may be, after it is made, before the State Legislature for a total period of ten days while it is in session.

**STATEMENT OF OBJECTS AND REASONS**

The object of this Bill is to provide for transfer of proprietary rights to the land owners from whom land was acquired by the State Government for construction of Satluj Yamuna Link Main Canal and for the matters connected therewith or incidental thereto.

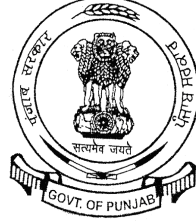
**PARKASH SINGH BADAL,**  
Chief Minister, Punjab.

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Section 8 of "THE PUNJAB SATLUJ YAMUNA LINK CANAL LAND (TRANSFER OF PROPRIETARY RIGHTS ) BILL, 2016" empowers to the State Government to make rules to carry out the purposes of this Act. The Powers sought are necessary for the proper implementation of the provisions of the Act and are normal in nature.

CHANDIGARH:  
The 14th March, 2016

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**SHASHI LAKHANPAL MISHRA**  
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**PUNJAB VIDHAN SABHA SECRETARIAT**

### **NOTIFICATION**

The 14th March, 2016

**No. 13-PLA-2016/225.**-The Punjab State Commission for Minorities (Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 13-PLA-2016

### **THE PUNJAB STATE COMMISSION FOR MINORITIES (AMENDMENT) BILL, 2016**

A

### **BILL**

further to amend the Punjab State Commission for Minorities Act, 2012.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India as follows :-

1. (1) This Act may be called the Punjab State Commission for Minorities (Amendment) Act, 2016. Short title and commencement.
- (2) It shall come into force on and with effect from the date of its publication in the Official Gazette.



Amendment in section 2 of Punjab Act 13 of 2013.	2.	In the Punjab State Commission for Minorities Act, 2012 (Hereinafter referred to as the principal Act), in section 2,- (i) at the end of clause (e), the word "and" shall be omitted; and (ii) at the end of clause (f), for the sign ".", the sign and word "; and" shall be substituted and thereafter, the following shall be added, namely:- "(g) "Vice-Chairperson" means the Vice-Chairperson of the Commission."
Amendment in section 3 of Punjab Act 13 of 2013.	3.	In the principal Act, in section 3, in sub-section (2),- (i) after clause (a), the following shall be inserted, namely:- "(aa) a Vice-Chairperson, a person of eminence and who has done outstanding work regarding safeguarding the interests of the minority communities, to be appointed by the Government;" and (ii) in clause (b), for word "five", the word "ten" shall be substituted.
Amendment in section 5 of Punjab Act 13 of 2013.	4.	In the principal Act, in section 5,- (i) in the heading, for the word "Chairperson", the words and signs "Chairperson, Vice-Chairperson" shall be substituted; (ii) in sub-section (1), for the word "Chairperson", the words and signs "Chairperson, Vice-Chairperson" shall be substituted; and (iii) in sub-section (2), for the word "Chairperson", the words and sign "Chairperson or Vice-Chairperson" shall be substituted
Amendment in section 6 of Punjab Act 13 of 2013.	5.	In the principal Act, in section 6,- (i) in the heading, for the word "Chairperson", the words and sign "Chairperson or Vice-Chairperson" shall be substituted; (ii) in sub-section (1), for the word "Chairperson", wherever occurring, the words and sign "Chairperson or Vice-Chairperson" shall be substituted; and (iii) in sub-section (2), for the word "Chairperson", wherever occurring, except in clause (e), the words and sign "Chairperson or Vice-Chairperson" shall be substituted.

- 
- |  |  |
|--|--|
| 6. In the principal Act, in section 7, for the word "Chairperson",<br>Wherever occurring, the words and signs "Chairperson, Vice-Chairperson"<br>shall be substituted.   | Amendment in<br>section 7 of<br>Punjab Act 13 of<br>2013.  |
| 7. In the principal Act, in section 10, for the word "Chairperson", the<br>words and signs "Chairperson, Vice-Chairperson" shall be substituted.   | Amendment in<br>section 10 of<br>Punjab Act 13 of<br>2013. |
| 8. In the principal Act, in section 12, for the word "Chairperson", the<br>words and sign "Chairperson or Vice-Chairperson" shall be substituted.  | Amendment in<br>section 12 of<br>Punjab Act 13 of<br>2013. |
| 9. In the principal Act, in section 13, for sub-section (2), the following<br>shall be substituted, namely:-<br><br>"(2) The Chairperson shall preside over the meeting of the<br>Commission. In the absence of the Chairperson, the Vice-Chairperson shall<br>preside over the meeting of the Commission,". | Amendment in<br>section 13 of<br>Punjab Act 13 of<br>2013. |
| 10. In the principal Act, in section 24, for the word "Chairperson",<br>wherever occurring, the words and sign "Chairperson, Vice-Chairperson" shall<br>be substituted.  | Amendment in<br>section 24 of<br>Punjab Act 13 of<br>2013. |
| 11. In the principal Act, in section 25, for the word "Chairperson", the<br>words and signs "Chairperson, Vice-Chairperson" shall be substituted.  | Amendment in<br>section 25 of<br>Punjab Act 13 of<br>2013. |
| 12. In the principal Act, in section 27, in sub-section (2), in clause (a),<br>for the word "Chairperson", the words and signs "Chairperson or Vice-<br>Chairperson" shall be substituted.   | Amendment in<br>section 27 of<br>Punjab Act 13 of<br>2013. |

**STATEMENT OF OBJECTS AND REASONS**

with a view to strengthen the Punjab State Commission for Minorities and to give more representation in the governance to minority communities for protecting and safeguarding their interest, a Vice-Chairperson and Ten Non-official Members (instead of five) will be appointed in the Punjab State Commission for Minorities, Therefore, there is a proposal to make necessary amendments in the Punjab State Commission for Minorities Act, 2012 (Act No. 13 of 2013).

2. Hence, the Bill.

**SUKHBIR SINGH BADAL,**  
Deputy Chief Minister, Punjab.

CHANDIGARH:  
The 14th March, 2016

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**SHASHI LAKHANPAL MISHRA**  
SECRETARY.



# **Punjab Government Gazette**

## **EXTRAORDINARY**

***Published by Authority***

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CHANDIGARH, TUSEDAY, MARCH 15, 2016  
(PHALGUNA 25, 1937 SAKA)

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**PUNJAB VIDHAN SABHA SECRETARIAT**

### **NOTIFICATION**

The 14th March, 2016

**No. 12-PLA-2016/226.**-The Punjab Infrastructure (Development and Regulation) (Amendment) Bill, 2016 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

Bill No. 12-PLA-2016

### **THE PUNJAB INFRASTRUCTURE (DEVELOPMENT AND REGULATION) (AMENDMENT) BILL, 2016**

A

BILL

further to amend the Punjab Infrastructure (Development and Regulation) Act, 2002.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India as follows :-

1. (1) This Act may be called the Punjab Infrastructure (Development and Regulation) (Amendment) Act, 2016. Short title and commencement.
- (2) It shall come into force on and with effect from the date of its

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publication in the Official Gazette.

Substitution of  
preamble of  
Punjab Act 8 of  
2002.

2. In the Punjab Infrastructure (Development and Regulation) Act, 2002 (hereinafter referred to as the principal Act), for the existing preamble, the following preamble shall be substituted, namely:-

"to provide for creation, development, maintenance and operation of infrastructure and for the matters connected therewith or incidental thereto."

Amendment in  
section 5 of  
Punjab Act 8 of  
2002.

3. In the principal Act, in section 5, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) The Authority, shall consist of a Chairperson and two other Members, duly appointed by the State Government by notification in the Official Gazette."

Amendment in  
section 23 of  
Punjab Act 8 of  
2002.

4. In the principal Act, in section 23, for sub-section (5), the following sub-section shall be substituted, namely:-

"(5) A contract, after it is sanctioned by the competent authority, shall be signed by the Managing Director, on behalf of the Board:

provided that where the sanctioning authority of any contract or class of contracts is the Managing Director, such contracts may be signed on behalf of the Board by the Managing Director himself or by any other officer duly authorized by him in this behalf."

Amendment in  
section 28 of  
Punjab Act 8 of  
2002.

5. In the principal Act, in section 28, for sub-section (4), the following sub-sections shall be substituted, namely:-

"(4) Where the State Government decides not to take up an infrastructure project out of its own funds or it fails to decide in this regard within the period as specified in sub-section (3), then such project shall automatically revert back to the Board.

(5) Upon receipt of the projects referred to in sub-section (4), the board, shall decide as to whether a public private partnership project, is to be executed completely on private participation basis and partly out of development fund or totally funding the same out of the development fund and thereafter the Board, in due consultation with the project Management Team or the Sectoral Sub-Committee, as the case may be, shall,-

- (i) Publish the notice containing details of the infrastructure project, in the leading newspapers, inviting objections and suggestions;

- (ii) assist the Authority in conducting public hearing on objections and suggestions received to finalize the scope of the infrastructure project;
- (iii) notify infrastructure project inviting bids or placement of request for proposal;
- (iv) conduct pre-bid processes;
- (v) conduct evaluation of bids; and
- (vi) conduct negotiations and recommend the grant of concession by the Board.

(6) The Board, may take up any engineering, procurement, construction projects or such projects, which do not involve private participation and can be taken up by it out of the development fund or partly out of the development fund and partly from the funds made available by the State Government or any other source (including Centrally or State sponsored Schemes), as the case may be.

(7) The Board may assign the work of conceptualization, identification, execution and monitoring of any urban or rural infrastructure project, to the district level Urban Infrastructure Committee or the Rural Infrastructure Committee, as the case may be, duly constituted by the State Government by notification in the Official Gazette, from time to time. The Board, shall release the funds directly to the Deputy Commissioner concerned, for execution of such final projects so recommended by the said Committees."

6. In the principal Act, after section 30-A, the following section shall be inserted, namely:-

"30-AA. The State Government may for the reasons to be recorded in writing, exempt any project or class of projects, from public hearing, if the same involves larger public interest."

Insertion of new section after section 30-A of Punjab Act 8 of 2002.

7. In the principal Act, in section 32, in sub-section (1), the words and singn "once every week for three consecutive weeks," shall be omitted.

Amendment in section 32 of Punjab Act 8 of 2002.

8. In the principal Act, in section 43, for sub-section (1), the following sub-section shall be substituted, namely:-

Amendment in section 43 of Punjab Act 8 of 2002.

"(1) In case the public infrastructure agency considers that it is necessary

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to terminate any concession, it may terminate the same strictly in accordance with the provisions of the Concession Agreement signed between the parties by passing a speaking order in this behalf, after affording reasonable opportunity of being heard, to such concessionaire. If such concessionaire feels aggrieved of any such terminations order, he may file an appeal before the Authority, in this behalf stating the reasons, for setting aside of such order."

Repeal and  
Saving.

9. (1) The Punjab infrastructure (Development and Regulation) (Second Amendment) Ordinance, 2015(Punjab Ordinance No. 8 of 2015), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under this Act.

**STATEMENT OF OBJECTS AND REASONS**

The Punjab Infrastructure (Development & Regulation) Act, 2002, (PIDRA, 2002) has been enforced by the Punjab Government with effect from July 11, 2002. The Act seeks to establish a regulatory framework, which provides clear guidelines for all aspects of infrastructure development from the conception to the implementation.

2. In order to meet certain working requirements, PIDRA, 2002 was recently amended through an Ordinance i.e. the Punjab Infrastructure (Development and Regulation) (Second Amendment) Ordinance, 2015. The aforesaid Ordinance was promulgated on December 7, 2015. The Punjab Infrastructure (Development and Regulation (Second Amendment) Ordinance, 2015 is an important legislation, which impacts the implementation of infrastructure projects in the State of Punjab and bring greater clarity in the existing provisions of the PIDRA, 2002. The Punjab Infrastructure (Development and Regulation) Amendment Bill, 2016 seeks to confirm the provisions of the Punjab Infrastructure (Development and Regulation) (Second Amendment) Ordinance, 2015.

**PARMINDER SINGH DHINDSA,**  
Minister for Finance, Punjab.

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CHANDIGARH:  
The 14th March, 2016

**SHASHI LAKHANPAL MISHRA**  
SECRETARY.